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From: Mitchell, Stacey
Sent: Wed 8/12/2015 7:39:37 PM
Subject: Re: Washington Times: Indians say EPA trying to swindle them in mine spill

Attorney Client/Ex. 5

I'm asking our FTCA folks to get something written up and will get it out to the group ASAP.

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Sent from my iPhone

On Aug 12, 2015, at 3:21 PM, Purchia, Liz <Purchia.Liz@epa.gov> wrote:

Flagging this. Is there someone who can call Begaye or can we clarify what's being done on the ground?

Indians say EPA trying to swindle them in mine spill

By Stephen Dinan - *The Washington Times* - Wednesday, August 12, 2015

The EPA is trying to cheat Navajo Indians by getting them to sign away their rights to future claims from the agency's Gold King Mine disaster, tribal officials charged Wednesday, adding more to the administration's public relations problems over the spill that threatens critical Southwest waterways.

EPA officials were going door-to-door asking Navajo, some of whom don't speak English as their primary language, to sign a form that offers to pay damages incurred so far from the spill, but waiving the right to come back and ask for more if their costs escalate or if they discover bigger problems, Navajo President Russell Begaye told *The Washington Times*.

"It is underhanded. They're just trying to protect their pocketbook," Mr. Begaye said in a telephone interview.

Mr. Begaye has already promised a lawsuit on behalf of the Navajo Nation, and said he suspects the EPA is trying to buy off as many Navajo as possible now to head off a bigger settlement later.

The spill has dumped millions of gallons of polluted water into the Animas River, which feeds the San Juan river and eventually the Colorado River, which provide water for grazing and crops in much of the Four Corners area, which is the confluence of Arizona, Colorado, New Mexico and Utah. The Navajo Nation covers much of that territory.

The EPA did not have an immediate comment on Mr. Begaye's charges Wednesday.

Rep. Rob Bishop, chairman of the House Natural Resources Committee, said through a spokeswoman that he's heard the complaints from the Navajo Nation and will be investigating the entire disaster.

"Chairman Bishop is outraged at the reports that the EPA is asking tribal members to sacrifice their rights after EPA's ineptitude has potentially threatened their health and livelihoods," spokeswoman Julia Bell Slingsby said. "People are suffering because of EPA negligence and yet the federal government's response is not to help, but to engage in grasping for legal cover before the full extent of damage is known to Navajo farmers."

She said the EPA would come down hard on a private party who tried the same

tactics, and demanded to know why the Interior Department, which has oversight of Indian affairs, hasn't come to the aid of the tribes.

Mr. Begaye said the situation is all the more enraging because the EPA has admitted it will take decades to clean up the spill, yet the agency is pushing for Navajo to calculate their costs now and sign away their rights for the future.

He also said EPA workers have said there are other mines that could also face similar problems, and said the priority should be on fixing those and cleaning up the current spill, which is still flowing, rather than trying to deflect liability.

"Our leadership from the White House — it's almost nonexistent. And now they're asking us to waive all of this stuff, and the yellow water is still flowing into the river, nothing has been contained," he said. "It's just a huge — I don't want to use the word coverup, but it's just government not doing its job, causing all of this to happen to our people, our land, our economy."

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